

## County votes on Forest Conservation Law changes

BY ERIN DONAGHUE  
STAFF WRITER

The County Council was expected to vote Tuesday night on two sets of amendments that would change the county's Forest Conservation Law, which aims to combat the decline of forest in the county by requiring that a certain percentages of cut trees are replaced.

The amendments are proposed by the Maryland-National Capital Park and Planning Commission and County Councilman Marc Elrich (D-At large) of Takoma Park. Both sets of amendments aim to make the law easier

to understand after community complaints that the law is unclear.

The amendments proposed by Elrich, however, are designed to retain more forest than amendments proposed by the Planning Board. Elrich has proposed reducing the size of lots that are subject to the law from 40,000 square feet — about one acre — to 10,000 square feet. His amendments also include retaining more forest onsite, rather than in off-site reserves, and increasing compliance for institutions such as the county government.

Planning staff have raised concerns that Elrich's proposed

amendments would substantially increase the number of lots that are subject to the law, necessitating more planning staff and increasing costs for homeowners.

"There will be a substantial cost element and staffing element if we implement all of Councilman Elrich's proposals," said Mark Pfefferle, forest conservation program manager at Park and Planning, during a Planning Board roundtable on Thursday.

The need for tree preservation on lots smaller than 40,000 square feet would be better served by a tree ordinance, Pfefferle said.

Elrich, along with Councilman Roger Berliner (D-Dist. 1) of Potomac are drafting separate tree ordinance legislation that would require county review of tree cutting on smaller lots. The legislation will be introduced sometime within the next six months, Berliner said.

At a panel discussion about the amendments on Jan. 10, Elrich said that his recommendations would be costly, but that his goal was to move toward no net loss of forest in the county. Forest cover in Montgomery County decreased from 45 percent in 1973 to 28 percent in 2000, according to a Montgomery County forest preservation task force.

"We realize there are costs associated with this but there's no way to retain tree cover without some cost," Elrich said.